

ARIZONA CODE OF JUDICIAL ADMINISTRATION

Part 6: Probation

Chapter 3: Juvenile Services

Section 6-302.01: Juvenile Intensive Probation Supervision Evidence-Based Practices

Courts shall be governed by section 6-302, except and until approved by the Administrative Director to be governed by section 6-302.01.

A. Definitions. In this section, the following definitions apply:

“Administrative director” means both the administrative director of the Administrative Office of the Courts and the director’s designee.

“Administrative status” means a juvenile who is not currently receiving active supervision or if contact requirements have been suspended by the juvenile probation department.

“Alcohol and drug testing” means any validated or verified method of determining the level of identifiable substances in the body including, but not limited to, breath, blood, oral fluid urine, hair and sweat testing.

“Case plan” means the documented behavior change plan and supervision strategy developed by the supervising probation officer in collaboration with the juvenile and family or adult probationer which clearly identifies the risk factors and needs of the probationer and how they will be addressed.

“Case record” means any record pertaining to a particular probationer maintained by the probation department in electronic or paper medium.

“Child”, “youth” or “juvenile”, means “an individual who is under the age of eighteen years” as provided in A.R.S. § 8-201(6).

“Collateral” means any individual or agency that has a relationship to a particular juvenile that serves as a source of information or point of contact, including but not limited to ~~friends,~~ family members, school personnel, law enforcement, victims, community members, neighbors, and treatment providers, ~~or other associates.~~

“Community restitution” means unpaid labor or services provided to a private not-for-profit or governmental agency.

“Court” means superior court.

“Criminogenic need” means any issues of concern which are directly linked to criminal or delinquent behavior that when addressed and changed affect a probationer’s risk for recidivism, which include, but are not limited to criminal personality, antisocial attitudes, values, beliefs, low self control, criminal peers, substance abuse, dysfunctional family, unemployment, and lack of education.

“Custodian” means “a person, other than a parent or legal guardian, who stands in loco parentis to the child or a person to whom legal custody of the child has been given by order of the juvenile court” as provided in A.R.S. § 8-201(8).

“Default” means a juvenile has not met obligations of supervision as outlined in terms of probation.

“Delinquent act” means “an act by a juvenile that if committed by an adult would be a criminal offense or a petty offense, a violation of any law of this state, or of another state if the act occurred in that state, or a law of the United States, or a violation of any law that can only be violated by a minor and that has been designated as a delinquent offense, or any ordinance of a city, county or political subdivision of this state defining crime. Delinquent act does not include an offense under section 13-501, subsection A or B if the offense is filed in adult court. Any juvenile who is prosecuted as an adult or who is remanded for prosecution as an adult shall not be adjudicated as a delinquent juvenile for the same offense” as provided in A.R.S. § 8-201(~~10~~)(12).

“Delinquent juvenile” means “a child who is adjudicated to have committed a delinquent act” as provided in A.R.S. § 8-201(~~11~~)(13).

“Delinquency risk” means measurable factors that have been correlated to the probability of recidivism that are gathered informally through routine interactions and observations with juveniles and by formal assessment guided by instruments.

“Director” means the director of the juvenile court or chief probation officer in combined departments.

“Evidence-based practice” means strategies that have been shown, through current, scientific research to lead to a reduction in recidivism.

“Hand count” means manual tabulation of all probation case files, conducted independently from any automated system.

“Juvenile intensive probation” means “a program...of highly structured and closely supervised juvenile probation and which emphasizes surveillance, treatment, work, education and home detention” as provided in A.R.S. § 8-351.

“JIPS team” means one probation officer and one surveillance officer, or one probation officer and two surveillance officers, or two probation officers and one surveillance officer, or one probation officer if a waiver of standards is granted.

“Law enforcement officer” means “a peace officer, sheriff, deputy sheriff, municipal police officer or constable” as provided in A.R.S. § 8-201(~~19~~)(22).

“Out-of-home placement” means “the placing of a child in the custody of an individual or agency other than with the child's parent or legal guardian” as provided in A.R.S. § 8-501(~~8~~)(9).

“Parent” means the juvenile’s biological, adoptive, or legal mother or father whose rights have not been terminated.

“Petition” means “a written statement of the essential facts that allege delinquency, incorrigibility or dependency” as provided in A.R.S. § 8-201~~(24)~~(27).

“Recommendation Matrix” means the approved tool utilized by the probation officer to provide a proposed disposition to the court.

“Referral” means “a report that is submitted to the juvenile court and that alleges that a child is dependent or incorrigible or that a juvenile has committed a delinquent or criminal act” as provided in A.R.S. § 8-201~~(27)~~(31).

“Target interventions” means supervision related services determined by the juvenile’s risk, criminogenic needs, and other factors such as temperament, learning style, motivation, gender and culture.

“Visual contact” means face-to-face communication with the juvenile at any place, including but not limited to, the probation department and the juvenile’s residence, place of employment, treatment location or community restitution placement to discuss progress, issues of concern or other appropriate matters. Contacts with juveniles are not ends in themselves but are opportunities for officers to achieve specific objectives. These objectives include establishing rapport with the juvenile, assessing the juvenile’s criminogenic factors and triggers, developing and, when needed, modifying a case plan, and using both subtle and overt incentives and sanctions to guide the juvenile toward positive change.

“Youth assessment” means the ~~state~~ approved system of actuarial tools designed to assess risk, need, and responsivity factors of youth at various stages of the juvenile justice system.

B.-L. [No Change]

M. Program Operations.

1. Each juvenile probation department shall develop:

a.-d. [No Change]

e. Policies and procedures which require intensive probation officers to administer a youth assessment for each adjudicated juvenile—supervised, prior to disposition or within 30 days, if not completed during the pre-dispositional process. Officers shall consider assessment results, family feedback other agencies involved, as well and any other relevant information, when developing a case plan;

f. Policies and procedures which require intensive probation officers to utilize the juvenile’s youth assessment results and most severe adjudicated offense to determine the proposed disposition as determined in the approved Recommendation Matrix;

~~f. g.~~ Policies and procedures which require intensive officers to develop a case plan within 30 days of disposition. The officer shall ensure the case plan includes objectives that are measurable, signatures of the probation officer juvenile and the juvenile's parent or guardian;

~~g. h.~~ Policies and procedures which require the supervising probation officer to update the youth assessment, upon each subsequent referral and once every six months, at a minimum. Upon each re-administration, juvenile officers shall review the previous case plan evaluating and updating noted strategies to reflect identified risk and needs;

~~h. i.~~ Policies and procedures that require probation officers to utilize graduated responses to promote positive behavioral change through incentives, consequences, and supervision to address violations;

~~i. j.~~ Policies and procedures by which accurate and timely records of the completion of community restitution hours are maintained for each intensive juvenile probationer. Credit toward court-ordered community restitution requirements are awarded on the basis of actual hours completed unless authorized by the court.

2. Each JIPS team shall:

a.-c. [No Change]

d. As provided by A.R.S. § 8-355:

The juvenile intensive probation team shall ensure that each juvenile under its supervision is participating in one or more of the following~~-,~~ ~~if~~ approved by the court or probation officer, for not less than thirty-two hours each week~~;~~ ~~T~~throughout the term of the intensive probation:

1. School.
2. A treatment program.
3. Employment.
4. A community restitution program.
5. An activity that improves the juvenile's prosocial skill development, including enhancing the juvenile's relationship with the juvenile's family.

This shall be accomplished by:

- (1) Assisting juveniles seeking employment and closely monitoring employment of juveniles if the juveniles are authorized to work in the United States;
- (2) Closely monitoring participation in treatment programs, involving the parent or guardian in the rehabilitation and treatment of the juvenile, monitoring school attendance; and
- (3) Providing or arranging for appropriate supervision of juveniles performing community restitution work.

e.-r. [No Change]

3.– 5. [No Change]

6. Victim notification. A.R.S. § 8-396(A)(B)(C) provides:

- A. On request of a victim who has provided an address or other contact information, the ~~court~~ probation department shall notify the victim of any of the following:
 - 1. A probation revocation disposition proceeding or any proceeding in which the court is asked to terminate the probation or intensive probation of the delinquent who committed the delinquent act against the victim.
 - 2. Any hearing on a proposed modification of the terms of probation or intensive probation.
 - 3. The arrest of a delinquent pursuant to a warrant issued for a probation violation.
- B. [No Change]
- C. If a victim has requested post adjudication notice and probation is revoked and the juvenile is committed to the department of juvenile corrections, the ~~court~~ probation department shall notify the department of juvenile corrections of the victim's request.

N.-Q. [No Change]